

Remarks

In the outstanding Official Action for the above-identified patent application, the Examiner:

(1) rejected claims 1-5, 7, 10-12, 15 and 27 under 35 USC 103 as being unpatentable over Wegerich et al.;

(2) rejected claim 6 under 35 USC 103 as being unpatentable over Wegerich et al. as applied to claim 1 above and further in view of Kirmsse et al.; and

(3) indicated that claims 8, 9, 13, 14, 17-22 and 24-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims or if said rejection were overcome.

In response to Item 1 above, Applicants submit that Wegerich et al. is not prior art with respect to the above-identified patent application. The above-identified patent application claims priority benefit of U.S. Provisional Patent Application Serial Number 60/248,402, filed 11/14/2000. Wegerich et al. claims priority benefit of U.S. Provisional Patent Application Serial Number 60/262,747, filed on 01/19/2001. Therefore, Wegerich et al. is not believed to be prior art for the present patent application. Accordingly, claims 1-5, 7, 10-12, 15 and 27

are believed to be on condition for allowance, and allowance thereof is respectfully requested.

In response to Item 2 above, Applicants submit that Wegerich et al. is not prior art with respect to the above-identified patent application as discussed in response to Item 1 above, and Applicants have carefully reviewed Kirmsse et al. Applicants believe that Kirmsse et al. disclose a surveillance system for monitoring a process. Applicants believe that Kirmsse et al. do not disclose a system for monitoring a complex process over a transition phase from a first mode, the system comprising a range checking component using stored data of one of known modes and known transitions as determined by a computer, and using the current process as data so as to signal when the complex process is outside of an acceptable range. Accordingly, claim 6 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

In response to Item 3 above, Applicants wish to thank the Examiner for his indication that claims 8, 9, 13, 14, 17-22 and 24-26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have now added new claims 28-31, which correspond to claims 8, 9, 13, and 14, respectively, and include the limitations of the base claim and any intervening claim. Accordingly, new claims 28-31 are believed to be in condition for allowance, and allowance thereof is respectfully requested.

Applicants believe that claims 17-22 and 24-26 are also in condition for allowance, inasmuch as claims 17, 20-22, and 24-26 are independent claims, and claims 18 and 19 depend directly from independent claim 17. Alternatively, Applicants respectfully request clarification concerning the indication that claims 17-22 and 24-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, allowance of claims 17-22 and 24-26 is respectfully requested.

In the event that any additional fees may be required to be paid in connection with this matter, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,

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